

**Open FAR Cases  
as of January 27, 2006**

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2006-002	25.003 25.4 52.212 52.225	Trade Agreements - Central America	This is a new FAR case (interim rule) to implement the following free trade agreement, that is expected to take effect on February 1, 2006, for some of the countries: CAFTA-DR (The Dominican Republic-Central America-United States Free Trade Agreement, as approved by Congress in the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (Pub. L. 109-53). This agreement includes Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua. They may not all take effect simultaneously.	01/19/2006, FAR case opened. 1/19/2006, Tasked staff to draft interim rule. Report due 2/1/2006.
2006-001	25 52.212 52.225	New Free Trade Agreements - Morocco	Incorporates the new FTA with Morocco that came into effect on January 1, 2006.	01/03/2006, FAR case opened, interim rule. 1/4/2006, Tasked staff to draft interim FAR rule. Report due to FAR principals 1/6/2006. 1/10/2006, Report submitted to FAR Principals. Request concurrence by 1/12/2006. Extended to 1/19/2006. 1/19/2006, FAR principals agree. FAR staff preparing to send to GSA Legal for review. 1/24/2006, Draft interim rule from FAR analyst to GSA Legal. 1/24/2006, GSA Legal concurrence with draft interim FAR rule, with one comment. 1/26/06, Draft interim rule from CAAC to OFPP. OFPP reviewing.

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2005-045	52.225-15 52.225-16 Part 25 52.212-5	Removal of Sanctions against Certain EU Countries	Remove sanctions against certain EU countries, after USTR issues determination withdrawing sanctions.	12/13/2005, FAR Case opened, interim rule. 12/13/2005, Tasked staff to prepare draft inteirm rule. Report due 12/16/2005. 12/19/2005, DARC received report. Reclama requested by 12/28/2005. 12/28/2005, DAR Council agreed to draft interim FAR rule. Case manager will notifiy CAAC by 1/6/2006. 1/3/2005, DAR staff notified FAR staff that DARC agreed with draft rule as submitted. 1/10/06, Councils agree. FAR staff preparing to send to GSA Legal. 1/11/0206, Draft interim rule from FAR analysts to GSA Legal. GSA Legal reviewing. 1/12/2006, GSA Legal approved draft inteirm rule, with comments. FAR staff processing. 1/23/2006, Draft interim FAR rule from CAAC chair to OFPP. OFPP reviewing.
2005-043	2	Definition for Commercial Items "Of a Type"	This is a new FAR case to consider a recommendation from the DoD Pricingttee to clarify the meaning of commercial items "of a type."	11/17/2005, FAR case opens. 12/14/2005, Councils tasked the Acquisition Strategy Team to draft proposed FAR rule. Report due 03/30/2006.
2005-041	12.202(e), 39.101 7.103, 12.202(e), 39.101	Internet Protocol Version 6 (IPv6)	Per OMB Memorandum M-05-22 all agencies must acquire IPv6 compatible hardware and software in the same manner using consistent policy and guidance for IT procurements.	11/17/2005, FAR case opens. 11/23/2005, Assigned to the FAR Technology Team. Assessment due by Dec. 7, 2005. Timeline due Jan 20, 2006. 1/20/2006, RD 2/23/2006.
2005-040	19.7 4 52.219-9, 52.219-25 53.219 53.3	Electronic Subcontracting Reporting System (eSRS)	OFPP memo dtd Nov 3, 2005 directs all agencies, except as noted, their large prime contractors, and large subcontractors (i.e., subcontractors with subcontracting plans under the flow-down provision) should begin using eSRS upon deployment effective Oct 28, 2005 for both the summary and individual subcontract reporting.	11/17/2005, FAR case opens. 11/23/2005, Analysts staffing the draft interim rule. Strawman due Dec 9, 2005. RD Feb 3, 2006.

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2005-039		Use of Recovered Materials in Service and Construction Contracts	FAR 23.4 currently implements the requirements of the Resource Conservation and Recovery Act (RCRA)/Solid Waste Disposal Act (SWDA) of 1976 for supply contracts only. This case will address FAR implementation of the statute as it applies to service and construction contracts.	12/7/2005, DARC tasked Law Team to draft proposed FAR rule. Report due 02/22/2006.
2005-038		Emergency Procurement Authority	Consolidate all of the existing emergency procurement authorities into one of the reserved sections of the FAR.	10/27/05, FAR Case Opened. 11/9/2005, DAR Council Tasked Acquisition Strategy Team to draft proposed Rule. Report due 12/28/2005. Revised to 02/22/2006.
2005-037	5.002 8.4	Brand Name Specifications For FSS Orders	This is a new FAR case to consider requiring publication of brand name justifications for Federal Supply Schedules (FSS) orders.	10/24/05, FAR Case Opened. 11/09/2005, DAR staff tasked the Acquisition Strategy Team to draft interim FAR rule. Report due 12/21/2005. 12/21/2005, DARC received Strategy Team's draft proposed FAR rule. DARC to discuss on 01/18/2006. 01/18/2006, Case manager to make revisions by 2/1/06.
2005-036		Definition of Cost or Pricing Data	Judgemental Factors as cost or pricing data; related to recent AF defective pricing cases	10/17/05, FAR Case opened. 10/20/2005, DAR staff tasked the Acquisition Finance Team to assess the need for changes. Assessment due 11/09/2005. 12/01/2005, Case is being expanded to incorporate additional taskings. Revised CMR to be submitted by 12/02/2005. Report Due 02/15/2005. 12/02/2005, the Team was tasked with the expanded scope of the case, report due 02/15/2006.
2005-035		Changes to Lobbying Restrictions	Revise FAR Subpart 3.8 and associated clauses as a result of further review of the Lobbying Disclosure Act of 1995 and Interim Final Amendments to OMB's Gov't-Wide Guidance on Lobbying	01/19/2006, DAR Staff notified FAR staff that DARC agreed with draft interim rule as submitted by Law Team.

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2005-034	25 52	Reporting of Purchases from Sources outside the United States	Assist implementation of section 641 of Division H of the FY 2005 Consolidated Appropriations Act (Pub. L. 108-447) and similar sections in subsequent appropriations acts. Section 641 requires annual reporting of the dollar value of supplies manufactured outside the U.S., vs. goods manufactured inside the U.S., with an itemized list of Buy American Act waivers granted for supplies manufactured outside the U.S.	10/3/05, FAR case opened, proposed rule. 10/5/05, DAR staff tasked Law Team to draft proposed FAR rule. RD 11/16/2005. 11/16/2005, DARC received Law Team draft proposed FAR rule from DAR staff. Discuss on 11/30/2005. Ascertain Congressional intent. Case manager brief DAR Council on 12/7/2005. 12/07/2005, Case manager coordinating with DPAP PAIC; will provide feedback to DARC by 12/21/05. 1/9/2006, DIscussed with DPAP. 1/10/2006, Discussed at FAR Council.. FAR principals will further discuss on 1/12/06. Discuss again on 1/18/2006.
2005-033	22 52.22	Full Implementation of the Wage Determinations on Line (WDOL)	This rule implements the Department of Labor's regulatory revisions in the FAR in order for contracting agencies to utilize WDO.gov website for obtaining the applicable wage determination for service contracts subject to the Service Contract Act and for construction conatracts subject to the Davis Bacon Act.	9/28/2005, FAR Case opened. Tasked to Law Team. Report due 11/09/2005. 10/12/2005, Ad Hoc Labor Team completed draft of rule and discussed it with DoL. GSA and DAR case Managers coordinating and formatting to present draft rule to FAR Law Team. Report Due Date extended to 12/14/2005. 12/14/2005, DARC received Law Team draft interim rule. Will discuss 12/21/2005, 12/21/2005, DAR Council agreed to draft interim rule. Case manager will incorporate DARC and CAAC changes by 1/11/2006. 01/18/2006, DARC approved draft interim rule. 01/20/2006, DARC case mgr sent DARC approved version of the rule to GSA FAR case Mgr. 01/23/2006, DARC and GSA FAR case managers integrated, reconciled and agreed on uniform version which will be presented to CAAC for concurrence/reclama by 1-25-2006.

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2005-032		Contractor Request for Progress Payments - SF 1443	Evaluate changes to the SF 1443 recommended by the Contract Finance Team.	FAR Case opened 9/26/05. 09/28/2005, DAR staff tasked the Acquisition Finance Team to draft proposed FAR rule. Report due 11/19/2005. Extended to 01/18/06. Extended to 1/25/06. 01/25/2006, DARC received report, Discuss 2/15/06.
2005-030	22.1503 25 52.212-3 52.212-5 52.222-19 52.225-11 52.225-12 52.225-3 52.225-4	Trade Agreements--Thresholds	Increases thresholds for the WTO GPA and other FTAs.	11/9/2005, Draft interim FAR rule from CAAC to OFPP. OFPP reviewing. Sent revised case, thresholds only, to OFPP on 12/14/2005. 12/15/05, OFPP approved, conditioned upon inclusion of El Salvador. 12/19/05, CAAC Chair sent draft interim FAR rule to OIRA. OIRA reviewing. 12/19/05, OIRA cleared interim FAR rule. FAR staff processing. 12/20/2005, OFPP concurred with removal of El Salvador. Interim rule to FAR SEC for preparation of FAC. 1/5/2006, Published interim FAR rule in Federal Register (71 FR 864). Public comment period ends March 6, 2006.
2005-029		Termination or Cancellation of Purchase Orders: FAR 13.302-4	Proposed FAR termination/cancellation language for commercial purchase orders.	10/21/2005, Report to be coordinated between DoD and GSA case managers. Request extension until 11/9/2005. 11/09/2005, DARC discussed proposed FAR changes. Reclama due 11/16/2005. 11/16/2005, DAR and GSA Staff resolving open issues. Report due 12/21/2005. 12/21/2005, Principals to determine issuance of Technical Amendment or Proposed rule. 1/7/2006, DAR staff notified FAR staff of DARC differences from team report. DAR and FAR staff resolving open issues. Due 1/18/2006.

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2005-028	13	Air Fuel Charge Cards in the FAR	Proposed FAR coverage on the Aviation Into-Plane Requirement (AIR) Card.	07/28/2005, FAR case opened. 08/26/2005, CMR sent to DOD/GSA/NASA for review/discussion on 9/1/2005. 9/7/2005, CMR revised and resent to DOD/GSA/NASA for review/discussion on 9/8/2005. 9/14/2005, CMR approved by DARC and assigned to Acquisition Strategy team. Report due 10/12/2005. Extended to 01/11/2006. 1/12/2006, Report submitted to DARC; discuss on 1/25/06. 01/25/2006, DARC will discuss again after CAAC input.
2005-027	30	Changes to FAR Part 30	Evaluate changes to FAR Part 30 recommended by various industry and government sources	7/28/05, FAR case opened. 08/23/05, DAR staff tasked Acquisition Finance Team to draft proposed FAR rule. Report due 10/19/05. RD extended to 12/01/2005. 12/01/2005, Report due date extended to 02/08/2006.
2005-025		ORCA Archiving Capability	Clarify confusion between FAR record retention requirements and the use of Online Representations and Certifications Application (ORCA), e.g., record retention requirements can be satisfied by citing ORCA, the date of offer submission, and any revisions made to the offeror's ORCA data through 52.204-8, Annual Representations and Certifications.	7/21/2005, FAR case opened. Awaiting CMR from GSA. Requested CMR be submitted by Sep 30, 2005. 9/22/05, CMR received. Case assigned to the FAR Analyst and DARS Case Mgr to draft strawman by Oct 6, 2005. 9/27/2005, FAR Technology Team tasked to draft proposed FAR rule. Report due 10/28/2005. Date Extended to 11/18/2005. Requested RD extension to 12/14/2005. 1/13/2006, DARC received team draft proposed FAR rule from DAR staff. DARC will discuss on 1/25/2006. 1/25/2006, DARC agreed to draft proposed rule. DAR staff sent for CAAC review due by February 8, 2006.

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2005-024	37 52 09	Contractor Access to Sensitive Information	Establish consistent procedures for protecting sensitive information from unauthorized use or disclosure, when the performance of support service contracts requires the prime contractor to have access to the sensitive information of other contractors	7/14/2005, FAR case opened. 7/27/2005, Tasked Law Team to draft proposed FAR rule. Assessment due 8/24/2005. 8/18/2005, Law Team met and made an assessment that a report to the Councils can be presented by December 7, 2005. 9/28/2005, DARC tasked the Law Team to provide an interim report by Oct. 12, 2005, explaining what is meant by "a more comprehensive solution", including a summary of the issues, and, if proposing a scope beyond the narrow focus of the NASA rule, the rationale for doing so. 10/12/2005, DARC approved FAR Law Team request for an extension until Oct. 19, 2005 to present interim report. 10/19/2005, Law Team presented interim report. 10/21/2005, New scoping for case given by principals. Law Team to discuss on 11/03/2005. 11/03/2005, Law Team discussed new focus and agreed to present report according to the new directive. 12/01/2005, FAR Law Team presented schedule of activities to complete report to the Councils by 03/2/2006. 12/07/2005, Report Due (Extension) 3/29/06.
2005-022	25.1 25.11	Exception to the Buy American Act for Commercial Information Technology	Implements Section 517 of Division H Title II of the Consolidated Appropriations Act, 2005 (Pub. L. 108-447). Section 517 authorizes exemption from the Buy American Act for acquisitions of information technology that are commercial items.	10/20/2005, Interim FAR rule to FARSEC for preparation of FAC. Scheduled for FAC 2005-07. 1/3/2006, Published interim FAR rule in Federal Register (71 FR 223). Public comment period ends March 6, 2006.

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2005-021		Implement OMB Policy Letter on Use of Brand Name Specification	Implements OMB Policy memo.	8/24/2005, CMR prepared to task Acquisition Strategy Team to provide FAR coverage. Tasking date to be established 9/2/2005. 9/7/2005, CMR approved by DoD/NASA/GSA and sent to DARC for final tasking to Acquisition Strategy Team on 9/14/2005. 9/14/2005, CMR approved by DARC and assigned to Acquisition Strategy Team. Report due 10/19/2005. 9/26/2005, CMR revised to assign tasing for staff level action. Report due 10/19/2005. 10/4/2005, CMR revised and approved for final tasking for staff level action. Request extension until 12/21/2005. 12/21/2005, DARC will discuss draft proposed rule on 1/18/2006. 01/18/2006, Case manager to revise and resubmit by 2/1/06.
2005-020		Rule-of-Two	Correct inconsistencies between the FAR language concerning the rule-of-two for small business set-asides and Small Business Act.	6/9/05, FAR Case opened. Tasked to staff level team. DARC case manager tasked to draft strawman. Strawman to FAR case manager by 08/12/2005. 08/01/2005, Case reassigned to Mark Gomersall. 8/10/2005, Draft response to SBA request for FAR revision sent to GSA case manager for coordination per DARC/CAAC direction. Response due 8/19/2005. 9/7/2005, Per discussions between DoD/NASA/GSA, draft response to SBA revised and resent for review. Further DoD/NASA/GSA discussions scheduled for 9/8/2005. 9/22/2005, GSA staff review of response to SBA in process. Expect review to be complete by 10/7/2005. 10/21/2005, Council Directors revising response to SBA. Expect completion by 10/31/2005. 10/27/2005, Response memorandum sent to SBA. Case closed no FAR revisions needed.

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2005-018	32.6 52	Contract Debt	Evaluate existing controls and procedures for ensuring contract debts are identified and recovered in a timely manner, properly accounted for in each agencies' books and records, and properly coordinated with the appropriate Government officials.	06/08/2005, FAR Case Opened 06/08/2005, DAR staff member tasked the Contract Finance Team to review draft proposed FAR revisions submitted by DoD. Report due 09/01/2005. Extended to 10/26/2005. 10/24/2005, DARC received Finance Team draft proposed FAR rule from DAR staff. Discuss on 11/16/2005. To CAAC 10/26/05; CAAC to discuss 11/16/05 12/07/2005, Draft proposed rule approved by DARC; case manager to incorporate CAAC changes and redistribute by 12/14/05. DARC discuss on 01/04/2006. 01/04/2006, DARC approved draft FAR rule. DAR staff processing. 01/05/2006, DAR staff notified FAR staff of DARC differences from CAAC suggested changes. DAR and FAR staff resolving open issues.
2005-017	4, 7, 39	Requirement to Purchase Specified Authentication Services/Products	This case adds language requiring Federal agencies to acquire only approved certified products and services for a complete category of Authentication Services (iaw HSPD-12/FIPS 201), which includes electronic authentication for browser-based access, Federeal identity credentials for electronic and physical authentication, and Public Key Infrastructure (PKI) services.	06/27/2005, FAR Case Opened 07/12/05, IT Team discussed draft proposed rule language. Report due 07/27/05. RD extension to 8/26/2005. Second RD extension to 9/30/05. 9/30/2005, FAR Technology Team requested a RD extension - date TBD. 10/12/05, on hold until products/services are identified unless the FAR team is able to proceed without this information. 10/12/05, OMB is requesting that this case continue and not be put on hold. 11/10/2005, Request RD extension to 01/06/2006. 1/13/2006, DARC received team draft proposed FAR rule from DAR staff. DARC will discuss on Feb 1, 2006.

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2005-016		Performance Based Payments	The DoD Performance Based Payments (PBP) Working Group report included a number of recommended change to the FAR. These recommendations will be reviewed and implemented (as required).	03/25/2005, Policy requested DARC to open case. DAR staff reviewing. 05/18/2005, DARC and CAAC Chair open case for a proposed FAR rule. DAR staff processing. 06/08/2005, DAR staff tasked Acquisition Finance Team to review DoD PBP Working Group report and draft proposed FAR rule. Report due 08/01/05. RD extended to 09/30/05. 10/05/2005, Team report due extended to 11/23/2005. Extended to 01/18/2006. Extended to 1/25/06. 01/25/2006, DARC received report, Time Certain on 2/15/06.
2005-015	1 4.13	Common Identification Standard for Contractors	This case adds language that requires Federal agencies to comply with the personal identity verification requirements in Homeland Security Presidential Directive 12 (HSPD-12) and Federal Information Processing Standard 201 (FIPS 201). HSPD-12 and FIPS 201 prescribe requirements and standards for issuing identification badges effective Oct 27, 2005.	10/5/2005, DAR staff working to resolve DARC issues by 10/12/2005. 10/13/2005, Open issues resolved. FAR staff processing by 10/31/2005. 10/24/2005, Draft interim FAR rule for FAR analyst to GSA Legal. GAS Legal reviewing. Due by 11/23/2005. 10/28/2005, Draft interim FAR rule from CAAC to OFPP. OFPP reviewing due by 12/28/2005. 11/4/2005, OFPP concurred with draft interim FAR rule. FAR analyst preparing to send to OIRA by 11/17/2005. 11/7/2005, DAAC Chair sent draft interim FAR rule to OIRA. OIRA reviewing by 1/7/2006. 11/9/2005, OIRA cleared interim FAR rule. FAR staff processing to send to FARSEC by 11/18/2005. 11/28/05, Interim rule will be published in the next FAC 2005-07. 1/3/2006, Published Interim FAR Rule in Federal Register (71 FR 208). Public Comment period ends March 6, 2006.

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2005-014		SmartBUY - Mandatory Use Software Program	This proposed rule will prescribe policies and procedures for acquisition of commercial software and software support under the Government-wide Enterprise Software Licensing Program also known as SmartBUY.	7/21/2005, Extension given. New report due date is 8/9/2005. 8/9/2005, Report due extension to Sep 8, 2005. 8/23/2005, Case on hold at the direction of OMB. 1/23/2006, FAR Technology Team retasked to draft a proposed FAR rule. Timeline due by 2/17/2006.
2005-012	25.3 52.225	Implementation of Section 3(b) of the Trafficking Victims Protection Reauthorization Act of 2003	Section 3(b) of Pub. L. 108-193 provides that, when funded under major budget category 150 (relating to international affairs), contacts shall include a provision that authorizes termination without penalty, if the contractor or any subcontractor engages in certain forms of human trafficking.	11/30/2005, FAR staff provided interim rule to FARSEC for preparation of FAC. Expect publication in February.
2005-011	25.3 52.225	Contractor Personnel in a Theater of Operations or at a Diplomatic or Consular Mission	Address the issues of contractor personnel that are providing support to the mission of the United States Government in a theater of operations outside the United States, but are not covered by the DoD clause for contractor personnel supporting the deployed troops.	10/26/2005, OFPP concurrence with draft proposed FAR rule. FAR staff preparing to send to OIRA. 10/25/2005, CAAC Chair send draft proposed FAR rule to OIRA. 1/18/2006, OIRA declared significant.

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2005-009		Confirmation of Hubzone Certification	Clarifies that prime contractors must confirm HUBZone certification (15 U.S.C. 632 et seq.).	<p>06/09/2005, Interim FAR rule to FARSEC for preparation of FAC. To be published in next FAC. 07/27/2005, Published interim FAR rule in Federal Register (70 FR 43581). Public comment period ends 09/26/2005.</p> <p>09/26/2005, Public comment period ends. Expect to receive public comments by 10/28/2005.</p> <p>09/27/2005, DARC and CAAC Chair received public comments from FAR Sec. DAR staff processing.</p> <p>09/28/2005, DARC will reclama on final rule by 10/05/2005.</p> <p>10/5/2005, DARC agreed to final rule as submitted by staff team. DAR staff notified FAR staff. CAAC approval expected 11/30/2005. Revised date 12/14/2005.</p> <p>12/12/2005, FAR staff notified DAR staff of CAAC suggested changes. DAR and FAR staff resolving open issues.</p> <p>1/13/2006, Draft final FAR rule from FAR analyst to GSA legal. GSA legal reviewing.</p> <p>1/17/2006, GSA legal concurred with draft final FAR rule. FAR staff preparing to send to OFPP</p> <p>1/23/2006, draft final FAR rule from CAAC to OFPP. OFPP reviewing. Expect review to be complete 2/23/2006.</p> <p>1/26/2006, OFPP concurred with draft final FAR rule. FAR staff preparing to send to OIRA. Expect to go to OIRA 2/10/2006.</p>

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2005-007		Update CCR system for TIN Validation	Add the process of validating a Central Contractor Registration (CCR) registrant's taxpayer identification number (TIN) with the Internal Revenue Service (IRS) to improve data accuracy in the federal procurement system.	<p>7/18/05, FAR staff sent case to OFPP on 7/6/05.</p> <p>8/8/05, OFPP concurred with draft proposed FAR rule. FAR staff preparing to send to OIRA.</p> <p>8/9/2005, CAAC Chair sent draft proposed FAR rule to OIRA. OIRA reviewing. Response due Oct 9, 2005.</p> <p>8/17/2005, OIRA identified minor issues with the draft proposed rule. OIRA, FAR and DAR staff resolving issues by Aug 31, 2005.</p> <p>9/8/2005, OIRA identified new Matching Agreement concern. FAR staff working to resolve by 10/19/2005.</p> <p>9/26/2005, Proposed FAR rule to FARSEC for preparation of FR notice by 10/28/2005.</p> <p>10-19-2005, Published proposed FAR rule in Fed Register 70 FR 60782. Public comment period ends 12/19/2005.</p> <p>1/4/2006, Assigned to Case Managers to review public comments and prepare final rule. Report due 2/28/2006.</p>

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2005-003	50	Implementation of the Safety Act	Implements Subtitle G of Title VIII of the Homeland Security Act of 2002 (Pub. L. 107-296) and E.O. 13286, which modified E.O. 10789 (contracting Authority of Government Agencies in Connection with National Defense Functions). Amends the FAR to reflect the transfer and delegation of certain functions to the Secretary of DHS. Also considers recommendations in joint letter from NDIA/PSC.	02/14/2005, Case Opened. 2/22/2005, Assigned to Law team. Assessment due 3/16/2005. Assessment due date extended to 3/23/05. 03/23/2005, Report due 4/27/2005. 4/27/2005, DARC received FAR Law Team draft proposed rule. Discuss on 5/4/2005. 5/4/2005, DARC agreed to interim rule. 5/5/2005, DAR case manager notified FAR staff that DARC agreed with draft interim rule with two changes. 6/03/2005, GSA FAR Analyst received report from Law Team Chair. GSA FAR staff processing. Awaiting CAAC action on interim rule. 06/29/2005, GSA FAR Analyst informed CAAC approved interim rule with changes. 07/14/2004, DAR Case Mgr informed GSA FAR Analyst to proceed with approval for publication. Interim rule sent to GSA Legal for review. 07/19/2005, GSA FAR Staff sent draft interim rule to OFPP. Draft interim rule placed on hold at the request of OFPP.

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2005-002	19.11	The Expiration of the Price Evaluation Adjustment (PEA) for SDB Concerns for Civilian Agencies Except NASA and Coast Guard.	Removes the authority for the PEA for SDB from FAR 19.11 because the legislative authority expired. The authority remains in effect for DoD, NASA, and the Coast Guard because the PEA for SDB adjustment is governed by separate statutory authority.	12/19/2005, DARC received staff level team draft final FAR rule. Reclama 01/04/2006. 01/04/2006, DARC agreed to draft final FAR rule. DAR staff processing. 01/04/2006, DAR staff notified FAR staff that DARC agreed with draft rule as submitted by staff level team. Expect Councils to agree by 01/18/2006. 01/18/2006, Councils agree. FAR staff preparing to send to GSA Legal for review. 01/18/2006, Draft final FAR rule from FAR analyst to GSA Legal. GSA Legal reviewing. Expect concurrence by 02/15/2006. 01/19/2006, GSA Legal concurrence with draft final FAR rule. 01/23/2006, Draft final FAR rule from CAAC to OFPP. OFPP reviewing. Expect concurrence by 02/06/2006.
2004-038		Implementation of the Federal Procurement Data System--Next Generation (FPDS-NG)	Standardize rules for procurement reporting to facilitate implementation of FPDS-NG across the Federal Government.	10/5/2005, Resolved draft proposed FAR rule open issues. FAR staff processing for legal review by 10/25/2005. 10/6/05, Legal review completed. Draft proposed FAR rule from CAAC Chair to OFPP. OFPP reviewing by 11/08/2005. 11/4/2005, OFPP identified draft proposed FAR rule issues. OFPP, FAR and DAR staff resolving issues by 12/8/2005. Extended to 1/31/2006.

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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2004-035	15.4	Submission of Cost or Pricing Data on Noncommercial Modifications of Commercial Items	Implements Section 818 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005. Section 818 amends 10 U.S.C. 2306a to address that the exception to the requirement for cost or pricing data does not apply to noncommercial modifications of a commercial item that are expected to cost, in the aggregate, more than \$500,000 or 5 percent of the total price of the contract, whichever is greater, effective June 1, 2005.	<p>05/16/2005, Interim FAR rule to FARSEC for preparation of FAC.</p> <p>6/3/2005, Interim rule will be published in FAC 2005-04. FAR SEC finalizing FAC.</p> <p>06/08/2005, Published Interim FAR rule in Federal Register (70 FR 109). Public Comment period ends 08/08/2005.</p> <p>08/08/2005, Public comment period ended. CMR to be presented to DARC on 08/31 tasking Acquisition Finance Team to review public comments.</p> <p>08/31/2005, DAR staff tasked Acquisition Finance Team to review public comments and draft final FAR rule. Report due 11/02/2005.</p> <p>11/01/2005, DAR staff received the Acquisition Team report recommending a second interim rule be issued. DAR staff reviewing.</p> <p>11/03/2005, DARC &amp; CAAC received Acquisition Finance Team draft 2nd interim FAR rule. DARC &amp; CAAC will discuss on 11/16/2005.</p> <p>11/16/2005, DARC &amp; CAAC agreed to a draft Final FAR rule instead of the proposed 2nd interim rule.</p> <p>12/01/2005, Draft final FAR rule from FAR analyst to GSA Legal. GSA Legal reviewing.</p> <p>12/05/2005, GSA Legal identified draft final FAR rule issues. GSA Legal, FAR and DAR staff resolving issues.</p> <p>01/13/2006, GSA Legal issues resolved by staff. Resubmitted to GSA Legal for review.</p> <p>/17/2006, GSA Legal concurrence (with minor comments) with draft final FAR rule. DAR &amp; FAR staff have resolved issues. FAR staff preparing to send to OFPP.</p>

**Open FAR Cases  
as of January 27, 2006**

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2004-033		Inflation Adjustment of Acquisition Thresholds	Implements Section 807 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005. Section 807 provides for adjustment every 5 years of acquisition related thresholds, except Davis-Bacon, Service Contract Act, and Trade Agreements thresholds.	6/3/2005, CAAC Chair sent draft proposed FAR rule to OIRA. OIRA reviewing. 6/22/2005, OIRA identified issues raised by SBA. Resolving issues. Expect resolution by 7/1/2005. 7/6/2005, OIRA cleared draft proposed FAR rule. Will coordinate publication with related CASB rule. 7/7/2005, Proposed FAR rule to FAR SEC for publication of proposed rule. Coordinating publication with proposed CASB rule. 11/16/2005, Separated out CAS thresholds and notified OFPP/OIRA. 11/21/2005, OIRA approved again as proposed rule without CAS thresholds. FAR staff will resubmit to FAR Secretariat for preparation of FR notice. 11/30/2005, Proposed rule FR notice from FARSEC to FAR staff analyst for review. Expect publication on 12/12/05. 12/12/2005, Published proposed FAR rule in Federal Register 70 FR 73415). Public comment period ends 2/10/2006.
2004-032	23	Biobased Products Preference Program	Implements the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8102) to address the use of biobased products.	01/18/2006, Two DARC members provided input; Discuss on 01/25/06. 01/25/2006, Case manager to make revisions by 2/8/06.

**Open FAR Cases  
as of January 27, 2006**

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2004-031		Fast Payment Procedures	Revise FAR 52.213-1 to properly identify paper and electronic invoices under Fast Pay contracts.	<p>07/13/2005, Published proposed FAR rule in Federal Register (70FR40279). Public comment period ends 09/12/2005.</p> <p>9/12/2005, Public comment period ended. DAR staff processing.</p> <p>09/28/2005, No comments recieved. DARC agreed to convert proposed FAR rule to final FAR rule, with no change.</p> <p>09/28/2005, DAR staff notified FAR staff that DARC agreed to convert the proposed FAR rule to a final FAR rule.</p> <p>10/13/2005, CAAC agreed to convert the proposed FAR rule to a final FAR rule. FAR staff processing.</p> <p>11/03/2005, Draft final FAR rule from FAR analyst to GSA Legal. GSA Legal reviewing.</p> <p>11/08/2005, GSA Legal concurrence with draft final FAR rule. FAR staff preparing to send to OFPP.</p> <p>11/15/2005, Draft final FAR rule from CAAC to OFPP. OFPP reviewing.</p> <p>12/06/2005, OFPP concurrence with draft final FAR rule. FAR staff preparing to send to OIRA.</p> <p>12/07/2005, CAAC sent draft final FAR rule to OIRA.</p> <p>12/19/2005, OIRA cleared final FAR rule. FAR staff processing.</p> <p>12/28/2005, Final rule to FARSEC for preparation of FAC.</p> <p>01/12/2006, Final rule FAC from FAR staff analyst to FARSEC for processing.</p>

**Open FAR Cases  
as of January 27, 2006**

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2004-030	2.101	Definition of Information Technology	Implements Section 535(b) of Pub. L. 108-199. Section 535(b) revises the definition of "Information Technology" at 40 U.S.C. 11101.	<p>11/01/2004, Opened FAR case, final rule.</p> <p>12/03/2004, DAR staff notified FAR staff that DARC agreed with draft interim FAR rule. FAR staff processing.</p> <p>01/27/2005, FAR staff sent draft interim FAR rule to OIRA for clearance. OIRA reviewing.</p> <p>03/02/2005, OIRA identified draft interim FAR rule issues. OIRA, FAR and DAR staffs resolving issues.</p> <p>04/06/2005, OIRA Issues resolved.</p> <p>07/27/2005, FAC 2005-05 published interim rule (70 FR 43578). Public comment period ends Sep 26 2005.</p> <p>9/29/2005, Public comment period ended 9/26/05. One comment received. FAR staff processing - request assign to Tech Team by Oct 21, 2005.</p> <p>10/18/2005, FAR Analyst/DAR Case Mgr review public comments, drafting FRN for final rule by 11/18/2005.</p> <p>11/18/2005, Coordination between Analysts on final rule complete. RD 11/30/2005. DARC discussion scheduled for 12/7/2005. Resched to Jan 18, 2006 for reclama.</p> <p>1/18/2006, DARC agreed to draft final rule submitted by the Team. CAAC agreed 12/15/2005. FAR staff preparing to send to GSA legal for review by 2/22/2006.</p> <p>1/20/2006, Draft final rule sent to GSA legal. GSA Legal reviewing by 2/24/2006.</p> <p>1/23/2006, Draft final FAR rule sent to OFPP. OFPP reviewing, due March 23, 2006.</p> <p>1/25/2006, OFPP concurred with draft final FAR rule. FAR staff preparing to send to OIRA by February 24, 2006.</p> <p>1/26/2006, CAAC sent draft final FAR rule to OIRA. Review due 4/26/2006.</p>

**Open FAR Cases  
as of January 27, 2006**

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2004-026	47.4	Fly American	Conform FAR 47.4 to 41 CFR 301-10.131 through 301-10.143.	7/16/04, Assigned to Ad Hoc Team (GSA Legal). RD: 9/3/04. 10/28/2006, Report due date extended to 1/15/2005. RD extended to 2/16/05. RD extended to 6/1/05. 5/26/2005, Close case until GSA provides business case demonstrating the need for FAR changes. 7/11/2005, CAAC chair tasked Acquisition Implementation team to draft a proposed rule. Report due 8/11/2005. 8/11/2005, FAR Acquisition Implementation team intending to use FAR Transportation case 2002-005 final rule as a baseline for this case. Additionally would like coordination with the FAR Acquisition Law team. Request extension until 10/15/2005. 10/21/2005, Request extension until 11/30/2005. 12/20/2005, Report due 8/11/2005. Awaiting input from Law Team. Request submitted to Law Team on 10/31/2005. Request extension until 1/31/06.

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as of January 27, 2006**

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2004-025	45	Government Property	Government property re-write.	6/21/2005, CAAC Chair sent rule to OIRA. OIRA reviewing. Expect review to be complete 8/8/2005. 8/15/2005, OIRA cleared proposed FAR rule. FAR staff processing. 8/16/2005, Proposed rule to FARSEC, expect FARSEC to send to analyst for review by 8/29/2005. 9/1/2005, Proposed rule from FARSEC to FAR staff analyst for review. Expect FAR analyst to return proposed rule to FARSEC by 9/16/2005. 09/06/2005, Proposed rule FR Notice from FAR staff analyst to FARSEC for publication. Expect publication during September. 09/19/2005, Published proposed FAR rule in Federal Register (70 FR 54878). Public comment period ends 11/18/2005. 12/20/2005, Acquisition Strategy Team tasked with review of public comments. Team Chair to provide report date. Report due 4/15/2006.
2004-021		OMB Circular A-76	Revise FAR to be consistent with latest revisions to OMB Circular A-76 (May 2003).	07/26/2005, Published proposed FAR rule in Federal Register (70 FR 43107). Public comment period ends 09/26/2005. 09/26/2005, Public comment period ends. DAR staff reviewing. Expect to assign to committee 11/15/2005. 11/15/2005, DAR Staff assigned to review comments and draft final report. Report due 1/04/2006. 1/4/06, DARC received report; reclama by 1/18/06. 1/18/2006, DARC approves draft final rule.

**Open FAR Cases  
as of January 27, 2006**

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2004-019	2 32 34 42 52 7	Earned Value Management System	Implement earned value management system in the FAR.	04/08/2005, Published proposed FAR rule in Federal Register (70 FR 17945). Public comment period ends 06/07/2005. 06/07/2005, Public comment period ended 6/7/2005. Expect FARSEC to forward comments by 6/14/2005. 06/15/2005, Public comments forwarded by FARSEC. Expect CAAC chair to task Acquisition Implementation Team by 7/15/2005. 07/11/2005, CAAC Chair tasked Acquisition Implementation Team to review comments. Report due 08/11/2005. 8/11/2005, FAR Acquisition Implementation Team comment review in process. Extension requested until 9/15/2005. 9/22/2005, FAR Acquisition Implementation Team comment review in process. Expect report on 10/31/2005. 10/26/2005, DARC received FAR Acquisition Implementation Team draft final FAR rule. 11/09/2005, DARC Discussed Team report. DAR staff processing. Due to DARC on 12/7/2005. 12/7/2005, Incorporate DARC changes and CAAC changes; distribute to DARC by 12/14/05; Discuss on 1/4/06. 01/04/2006, DARC agreed to draft final rule; case manager to coordinate with CAAC.

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as of January 27, 2006**

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2004-018	1 11 2 39 7	Information Technology Security	Ensure that IT security requirements pursuant to the Federal Information Security Mgmt Act (FISMA) are included in all relevant Government contracts.	8/5/2005, Draft prposed FAR rule from CAAC Chair to OFPP. OFPP reviewing. 8/5/2005, OFPP concurrence with draft proposed FAR rule. FAR staff preparing to send to OIRA by 8/15/2005. 8/09/2005, CAAC Chair sent draft proposed FAR rule to ORIA. OIRA reviewing. Response due Oct 9, 2005. 8/18/2005, Per OIRA, changed from proposed to interim rule. 8/25/2005, OIRA cleared interin FAR rule. FAR staff processing. Awaiting DoD approval to publish. 8/31/05, Interim FAR rule to FARSEC for preparation of FAC by 10/5/2005. Will be in FAC 2005-06. 09/30/2005, Published interim FAR rule in Federal Register (70 FR 57449). Public comment period ends 11/29/2005. 12/2/2005, Assigned to Case Managers to review public comments and draft final FAR rule. Report due 1/31/2006.
2004-017	19	SB Credit for Alaska Native Corporations and Indian Tribes	Implements section 702 of Pub.L. 107-117, as amended by section 3003 of Pub.L. 107-206. The law permits subcontracts awarded to certain Alaska Native Corporations to be counted towards a contractor's goal for subcontracting with SB and SDB concerns and subcontracts to Indian tribes to be counted towards a contractor's goal for subcontracting with SB concerns, regardless of size.	05/04/2005, Proposed rule FR Notice from FAR staff analyst to FARSEC for publication. To be published on June 3, 2005. 06/03/2005, Published proposed FAR rule in Federal Register (70 FR 32553). Public comment period ends 08/02/2005. 08/02/2005, public comment period ends. Expect FAR staff to provide DAR staff copies of public comments by 08/08/2005. 08/05/2005, DARC received public comments from FAR Sec. DAR staff processing. Expect to assign to Committee 09/14/2005. 9/20/2005, DAR staff tasked Acquisition Strategy Team with reviewing public comments. Report due 10/26/2005. Extended to 03/08/2006.

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as of January 27, 2006**

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2004-015	52.232-7	Payments under Time-and-Materials and Labor-Hour Contracts	Clarify the clause at 52.232-7, Payments under Time-and-Materials and Labor-Hour Contracts.	09/12/2005, OIRA cleared proposed FAR rule. FAR staff processing. 09/13/2005, Proposed FAR rule to FARSEC for publication. Expect to publish by 09/20/2005. Extended to 09/26/2005. 09/26/2005, Published proposed FAR rule in Federal Register (70 FR 56314). Public comment period ends 11/25/2005. Extended to 12/09/2005. 12/09/2005, Public comment period ends. Expect to receive public comments from FARSEC by 12/16/2005. 12/15/2005, Councils tasked the Finance Team to review public comments and draft final FAR rule. RD 03/01/2006.

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as of January 27, 2006**

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2004-014	31.205-11 31.205-16	Buy-Back of Assets	Address cost treatment when a contractor buys back an asset after a sale and leaseback arrangement, or any other situation where the contractor depreciates an asset, disposes of the asset, then reacquires the asset.	<p>5/10/2004, Opened FAR case, proposed rule.</p> <p>12/06/2004, DAR staff notified FAR staff that DARC agreed with revised proposed FAR rule. FAR staff preparing to send to CAAC.</p> <p>12/21/2004, CAAC agreed to draft revised proposed FAR rule.</p> <p>03/07/2005, OFPP cleared draft proposed FAR rule. FAR staff preparing to send to OIRA.</p> <p>03/21/2005, OIRA cleared draft proposed FAR rule. FAR staff processing.</p> <p>03/24/2005, CAAC sent proposed FAR rule to FARSEC for preparation of FR notice. Proposed FAR rule to be published in the FR on 06/13/2005.</p> <p>06/13/2005, Published proposed FAR rule in Federal Register. Public comment period ends 08/12/2005.</p> <p>08/12/2005, public comment period ended. CMR to be presented to DARC on 08/31 tasking Acquisition Finance Team to review public comments.</p> <p>08/31/2005, DAR staff tasked Acquisition Finance Team to review public comments and draft final rule. Report due 11/08/05.</p> <p>11/07/2005, DAR staff received Acquisition Finance Team's draft final FAR rule. DAR staff processing.</p> <p>11/14/2005, DARC received AFT draft final FAR rule from DAR staff. DARC will discuss on 11/30/2005.</p> <p>11/30/2005, DARC agreed to draft final FAR rule. DAR staff notified FAR staff that DARC agreed with draft rule as submitted by the Team.</p> <p>12/07/2005, CAAC to discuss the draft final FAR rule on 12/21/2005.</p> <p>12/21/2005, Councils agree. FAR staff preparing to send to GSA Legal for review.</p> <p>01/13/2006, Draft final FAR rule to GSA Legal for review.</p> <p>1/23/2006, CAAC sent draft final FAR rule to OFPP. OFPP reviewing.</p>

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as of January 27, 2006**

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2004-012	42	Performance Evaluation of Orders-- Part 42	Address past performance in subcontracting and provide the ordering agency the option of establishing an evaluation factor for subcontracting as part of its source selection process.	6/22/2005, Published proposed rule in Federal Register (70 FR 35601). Public comment period ends 08/22/2005. 08/22/2005, Public comment period ends. Expect to receive comments by 09/02/2005. 08/24/2005, Public comments received from FAR Sec. DAR staff processing. Expect to get direction on which Team to task by 09/15/2005. 09/15/2005, DAR staff tasked staff level Team to review public comments. Report due 10/31/2005. Extended to 12/20/2005. Extended to 2/1/2006.
2004-007	5.102	Federal Technical Data Solution	Makes use of the Federal Technical Data Solution (FedTeDS) mandatory for the posting of Sensitive but Unclassified information for solicitations.	7/13/05, Recommended to DARC to hold discussion on 7/27/05. Final report received 7/14/05 from FAR staff. 7/27/005, DARC will discuss again on 8/10/2005. Reclama due 8/17/05 extended to 8/31/2005. 9/7/05, Resolved draft final FAR rule open issues. FAR staff processing. 9/21/05, Councils agree. FAR staff preparing to send to GSA legal for review. Legal review due by 10/21/2005. 9/29/2005, Draft final FAR rule from FAR Analyst to GSA Legal. Legal review due by 10/292005. 9/30/05, GSA Legal concurrence with draft final FAR rule. FAR staff preparing to send to OFPP. 10/4/2005, Draft final FAR rule sent by FAR Analyst to OFPP. Expect completion by 11/08/2005. 10/14/2005, OFPP concurred with draft final FAR rule. FAR staff preparing to send to OIRA by 10/25/2005. 10/17/2005, FAR Analyst sent draft final FAR rule to OIRA. OIRA review due by 1/18/2006. OIRA issues to be resovled date TBD.

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as of January 27, 2006**

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2003-027	12 16 30	Additional Commercial Contract Types	Implements Section 1432 of the National Defense Authorization Act for FY 2003 (HR 1588, enacted 11/24/2003). Section 1432 amends Section 8002(d) of the Federal Acquisition Streamlining Act of 1994 (Pub. L. 103-355, 41 U.S.C. 264 note) to permit use of a time-and-materials contract or a labor-hour contract for a procurement of certain commercial services.	09/12/2005, OIRA cleared proposed FAR rule. FAR staff processing. 09/13/2005, Proposed FAR rule to FARSEC for publication. Expect to publish by 09/20/2005. Extended to 09/26/2005. 09/26/2005, Published proposed FAR rule in Federal Register (70 FR 56318). Public comment period ends 11/25/2005. Extended to 12/09/2005. 12/09/2005, Public comment period ends. Expect to receive public comments from FARSEC by 12/16/2005. 12/15/2005, Councils tasked the Strategy Team to review public comments and draft final FAR rule. RD 03/01/2006.
2001-004	22	Exemption of Certain Commercial Service Contracts from the Service Contract Act	Implement a Department of Labor final rule (66 FR 5328) that exempts certain contracts for commercial services from coverage under the Service Contract Act if certain conditions are met.	6/6/04, Case on hold at direction of FAR Council.
2000-305	12 2 22 23 25 27 3 44 47 52	Commercially Available Off-The-Shelf Items (COTS)	Implement section 4203 of the FY96 Defense Authorization Act by revising the FAR to include a list of provisions that are inapplicable to contracts for the procurement of commercially available off-the-shelf items.	10/12/05, placed on hold until further notice.

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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
1999-402	27	FAR Part 27 Rewrite in Plain Language	Rewrite FAR Part 27 in plain language.	10/22/2004, Draft final FAR rule from FAR analyst to GSA Legal. GSA Legal reviewing. 5/16/2005, GSA Legal identified draft final FAR rule issues to FAR staff. FAR staff is analyzing issues and will notify DAR staff by 6/15/2005. Extend to 7/20/2005. 8/4/05, received GSA Legal comments from CAAC Chair. 8/15/2005, Reviewed GSA Legal comments and forwarded to PD&C Chair for input by September 15, 2005. 09/30/2005, PDCC chair will provide input to GSA Legal comments by October 12, 2005. 10/12/2005, PDCC chair submitted input to GSA Legal comments. GSA Legal reviewing. 11/03/2005, PDCC chair submitted input to GSA Legal comments. GSA Legal reviewing. 12/07/2005, GSA Legal to complete review by 12/22/2005. 01/05/2006, GSA Legal completed its review. 01/11/2006, GSA FAR case mgr sent the case to OFPP for review and concurrence.
1998-020	23.302 52.223-3 52.223-XX 23.301 23.303	Hazardous Material Safety Data	Clarify guidance and remove ambiguities in the clause at FAR 52.223-3, Hazardous Material Identification and Material Safety Data.	6/29/2005, Draft final FAR rule from CAAC to OFPP. OFPP reviewing. 7/6/2005, OFPP concurrence with draft final FAR rule. 7/8/2005, Draft final FAR rule from CAAC to OIRA. OIRA reviewing. 9/26/2005, OIRA identified draft final FAR rule issues from OSHA. FAR and DAR staff resolving issues. Provided response to OIRA on 11/16/2005.